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FACSIMILE TRANSMISSION**CONFIDENTIAL**

DATE: December 7, 2004

CLIENT-MATTER No.: 16010-09591

| To: | | PHONE No. |
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| NAME | FAX No. | |
| U.S. Patent & Trademark Office | 703-872-9306 | 703-308-6673 |

FROM: David K. Varn PHONE: (650) 335-7183

SENT BY: Cathy Kenyon PHONE: (650) 943-5185

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Please see attached.

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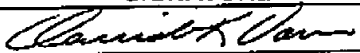
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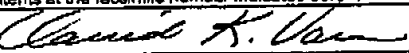
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16010/09591/DOCS/1484807.1

| | | | |
|---|---|------------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence during pendency of filed application) | | Application Number | 09/800,080 |
| | | Filing Date | March 5, 2001 |
| | | First Named Inventor | Steven J. Schaffer |
| | | Group Art Unit Number | 2152 |
| | | Examiner Name | Not yet known |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 16010-09591 |

| ENCLOSURES (check all that apply) | |
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| <input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input checked="" type="checkbox"/> Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| REMARKS: | |

| SIGNATURE OF ATTORNEY OR AGENT | | | |
|--------------------------------|---|--------|------------------|
| Signature: |  | | |
| Attorney/Reg. No.: | David K. Varn, Reg. No. 53,718 | Dated: | December 7, 2004 |

| CERTIFICATE OF FACSIMILE TRANSMISSION | | | |
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| I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below. | | | |
| Signature: |  | | |
| Typed or Printed Name: | David K. Varn | Dated: | December 7, 2004 |
| Facsimile Number: | 703-972-9306 | | |

16010/09591/DOCS/1485894.1

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Compuware CorporationApplication No./Patent No.: 09/800.080Filed/Issue Date: March 5, 2001Entitled: Method For Performing Response Time Analysis Of Network PerformanceCompuware Corporationa Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
- The extent (by percentage) of its ownership interest is _____ %
- in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Steven J. Schaffer and Jacob Weil To: Compuware Corporation
The document was recorded in the United States Patent and Trademark Office at Reel 012532, Frame 0195, or for which a copy thereof is attached.
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
(NOTE: A separate copy (i.e., a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7 Dec. 2004
Date

David K. Vam, Reg. No. 53,718

Typed or printed name

(650) 335-7183

Telephone number

David K. Vam

Signature

Attorney

Title

16010/09591/DOCS/1484733.1

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T-594 P02/02 U-228

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I hereby appoint:

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☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

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as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

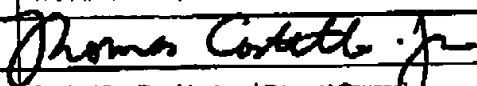
Assignee Name and Address:

Compuware Corporation
One Campus Martius
Detroit, MI 48226

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

| | | | |
|-----------|---|-----------|----------------|
| Name | Thomas Costello, Jr. | Date | 10/5/04 |
| Signature |  | Telephone | (313) 227-7310 |
| Title | Senior Vice President and General Counsel | | |

16010/01000/DOC6/1469232.1